



State of Utah

DEPARTMENT OF COMMERCE
DIVISION OF CONSUMER PROTECTION

DEBT-MANAGEMENT SERVICES PERMIT APPLICATION FORM

Annual Application fee: \$ 250.00 (Non-refundable)

Applicant's Name

Date of Application

OFFICE USE ONLY

Date Issued: _____

Permit Number: _____

Approved: _____

Denied: _____

Expiration: _____

Please indicate whether this is an application for an initial or renewal registration:

☐ INITIAL
APPLICATION

☐ RENEWAL
APPLICATION

If you have any questions, please contact the Division at (801) 530-6601.

Please make Application fee check or money order payable to the **State of Utah**.

Please return the completed application form to:

Department of Commerce
Division of Consumer Protection
160 East 300 South
PO Box 146704
Salt Lake City, Utah 84114-6704

May 2007

Provide supplementary pages if the space on this application is not adequate.

1. Applicant's Name: _____

2. Other names under which the applicant conducts business:

3. Applicant's Street Address:

Street

City

State

Zip Code

4. Telephone Number: _____ Facsimile Number: _____

5. Electronic-Mail Address: _____

6. Internet Website Address: _____

7. Other business addresses of applicant:

Street

City

State

Zip Code

Street

City

State

Zip Code

8. Please indicate whether the applicant will provide debt management services in Utah:

☐ Yes ☐ No

If “yes”, provide the address of each location in Utah where the applicant will provide debt-management services:

Street

City

State

Zip Code

Street

City

State

Zip Code

9. Provide the following information for the applicant’s registered agent:

Name

Street Address

City

State

Zip Code

Telephone Number

Facsimile Number

10. List the following information concerning the applicant’s officers and directors and each person that owns at least 10% of the applicant:

Name: _____

Home Address: _____

Street

City

State

Zip Code

Name: _____

Home Address: _____

Street

City

State

Zip Code

11. Identify every jurisdiction in which, during the five years immediately preceding the application:

A. The applicant or any of its officers or directors has been licensed or registered to provide debt-management services:

B. Individuals have resided when they have received debt-management services from the applicant:

12. List the names and addresses of all employers of each director during the ten years immediately preceding the application:

Name

Address

13. Describe any ownership interest of at least 10% by a director, owner or employee of the applicant in:

A. Any affiliate of the applicant:

B. Any entity that provides products or services to the applicant or any individual relating to the applicant's debt-management services:

14. State the amount of compensation of the applicant's five most highly compensated employees for each of the three years immediately preceding the application:

15. List the identity of each director who is an affiliate of the applicant:

16. Provide a description of the three most commonly used educational programs that the applicant provides or intends to provide:

Attach a copy of any materials to be used in those programs.

17. Provide a description of the applicant's financial analysis and initial budget plan, including any form or electronic model, used to evaluate the financial condition of individuals:

18. Has the applicant or any of its officers, directors, owners, or agents or any person who is authorized to have access to the trust account required by Section 13-42-122, been the subject of any material civil or criminal judgment or litigation or any material administrative enforcement action by a governmental agency in any jurisdiction?

☐ Yes ☐ No

If "yes", please explain in detail including the nature of the proceeding, date, location and current status. Please provide a certified copy of the order.

19. If a renewal application, disclose the total amount of money received by the applicant pursuant to the plans during the preceding 12 months from or on behalf of individuals who reside in Utah and the total amount of money distributed to creditors of those individuals during that period.

20. If a renewal application, disclose, to the best of your knowledge, the gross amount of money accumulated during the preceding 12 months pursuant to plans by or on behalf of individuals who reside in Utah and with whom the applicant has agreements.

21. Identify all trust accounts required by Section 13-42-122:

Bank Name

Account Number

22. Identify every officer, employee, or agent of the applicant who is authorized to have access to the trust accounts required by Section 13-42-122:

Name

Title

Provide the results of a criminal records check, including fingerprints, conducted within the immediately preceding 12 months, for each individual listed in paragraph 22.

23. Please provide copies of the documents listed in the attached Schedule I.

By signing this application, the applicant:

-affirms under penalty of perjury that this application is complete and not misleading;

-consents to the jurisdiction of the Utah Department of Commerce, Division of Consumer Protection; and

-authorizes the Division to review and examine the trust accounts required by Section 13-42-122, as identified in Paragraph 21.

DATED: _____

APPLICANT:

BY ITS _____

SCHEDULE I

DOCUMENTS TO ATTACH

Attach a copy of each of the following documents:

1. If an initial application, the applicant's financial statement, audited by an accountant licensed to conduct audits, for each of the two years immediately preceding the application. If a renewal application, the applicant's financial statement, audited by an accountant licensed to conduct audits, for the applicant's fiscal year immediately preceding the application.
2. Evidence of accreditation by an independent accrediting organization approved by the Division. See Approved Accreditation Programs and Organizations for further details.
3. Evidence that, within 12 months after initial employment, each of the applicant's counselors becomes certified as a counselor. See Approved Credit Counselor Certification Programs and Organizations for further details.
4. A copy of each form of agreement that the applicant will use with individuals who reside in Utah. Please highlight and provide the page number of the agreement on which those provisions required by Sections 13-42-119(1)(c), 13-42-119(1)(d), 13-42-119(1)(f), and 13-42-119(4) appear. See Instructions for Preparing Agreements for further details.
5. A schedule of fees and charges the applicant will use with individuals who reside in Utah.
6. The results of a criminal records check, including fingerprints, conducted within the immediately preceding 12 months, covering every officer, employee, or agent of the applicant who is authorized to have access to the trust account, as identified in Paragraph 22.
7. Evidence of a surety bond or substitute in the amount of \$100,000 that runs to or is payable to Utah and to individuals who reside in Utah when they agree to receive debt-management services from the applicant, as required by Sections 13-42-113 and 13-42-114.
8. If an initial application, evidence of insurance in the amount of \$250,000: (i) against the risks of dishonesty, fraud, theft, and other misconduct on the part of the applicant or a director, employee, or agent of the applicant; (ii) issued by an insurance company authorized to do business in this state and rated at least A by a nationally recognized rating organization; (iii) with no deductible; (iv) payable to the applicant, the individuals who have agreements with the applicant, and the State of Utah, as their interests may appear; and (v) not subject to cancellation by the applicant without the approval of the Division. If a renewal application, the insurance must meet these same requirements and must be in an amount equal to the larger of \$250,000 or the highest daily balance in the trust account required by Section 13-42-122 during the six-month period immediately preceding the application.
9. If the applicant is organized as a not-for-profit entity or is exempt from taxation, evidence of not-for-profit and tax-exempt status.
10. A copy of the applicant's articles of incorporation or other organizational documentation showing the applicant's legal status.
11. A copy of any materials used in the educational programs referred to in Paragraph 16.

INSTRUCTIONS FOR PREPARING AGREEMENTS

A copy of each form of agreement that the applicant will use with individuals who reside in Utah must be submitted with your application. In accordance with Section 13-42-119 the following items are required to be included in those agreements. **Please highlight the required information in the copy that you provide to the Division and indicate in the column at the right the page number of the agreement on which each of these items appears.**

Item	Page #
1. The name and address of the individual.	_____
2. The name, business address, and phone number of the applicant.	_____
3. The services to be provided to the individual.	_____
4. The amount, or method of determining the amount, of all fees, individually itemized, to be paid by the individual.	_____
5. The schedule of payments to be made by or on behalf of the individual, including the amount of each payment, the date on which each payment is due, and an estimate of the date of the final payment.	_____
6. If the plan provides for regular periodic payments to creditors: (a) each creditor of the individual to which payment will be made, the amount owed to each creditor, and any concessions the provider reasonably believes each creditor will offer; and (b) the schedule of expected payments to each creditor, including the amount of each payment and the date on which it will be made.	_____
7. Each creditor that the provider believes will not participate in the plan and to which the provider will not direct payment.	_____
8. How the provider will comply with its obligations to provide an accounting under Section 13-42-127(1).	_____
9. Notice that the applicant may terminate the agreement for good cause, upon return of unexpended money of the individual.	_____
10. Notice that the individual may cancel the agreement as provided in Section 13-42-120.	_____
11. Notice that the individual may contact the Division with any questions or complaints regarding the applicant.	_____
12. The address, telephone number, and Internet address or website of the Division.	_____
13. Notice that the individual has a right to terminate the agreement in accordance with Section 13-42-119(4).	_____